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TECH CENTER 1600/PATENT

Attorney Docket No. 7681.0010-01



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Campbell et al.)
Serial No.: 09/650,194) Art Unit: Unassigned
Filed: August 29, 2000) Examiner: Unassigned

For: UNACTIVATED OOCYTES AS CYTOPLAST
RECIPIENTS FOR NUCLEAR TRANSFER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

PAYMENT OF BALANCE OF APPLICATION FILING FEE

This application is a continuation application filed under the provisions of 37 C.F.R. §1.53(b) claiming the benefit of applicants' parent application Serial No. 08/803,165. Small entity status was claimed in the parent application, and a copy of a Verified Statement Claiming Small Entity Status from the parent application was filed with the subject continuation application papers.

Adjustment date: 11/24/2000 CVD111
09/07/2000 ASELINN 00000024 09650194
01 FC:201 -345.00 OP
02 FC:203 -252.00 OP
03 FC:202 -395.00 OP
04 FC:204 -130.00 OP

11/24/2000 CVD111 00000010 060916 09650194
01 FC:101 710.00 OP
02 FC:103 504.00 OP
03 FC:102 400.00 OP
04 FC:104 230.00 OP
40.00 CH

Unknown to the undersigned at the time the subject continuation application was filed, applicants and their assignee filed a notification changing their status from a small entity to a large entity on June 28, 2000, in the parent application. A copy of the notification of change in status from the parent application is attached hereto to complete the record in this continuation application.

When the subject continuation application was filed, applicants paid the filing fee for a small entity. At the time of filing the subject continuation application, however, a valid claim to small entity status did not exist in the parent application. In addition, a new verified statement claiming small entity status under 37 C.F.R. §1.27(a) was not filed in the subject continuation application.

Payment of the filing fee for a small entity was made in good faith. The error in payment of the filing fee for a small entity was made through an oversight and without intent to deceive.

Attached is a check in the amount of \$922.00 covering the difference in the filing fee for a small entity and large entity. The balance of the fee due is being made to excuse the error as provided in 37 C.F.R. §1.28(c).

LAW OFFICES

FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N.W.
WASHINGTON, DC 20005
202-408-4000

If any additional fees are required, including a fee for late payment of the official filing fee, the Commissioner is hereby authorized to charge such fee to Deposit Account No.

06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 21, 2000

By:



Kenneth J. Meyers
Reg. No. 25,146
Tel: (202) 408-4000
Fax: (202) 408-4400
Email: Ken.Meyers@finnegan.com

LAW OFFICES

FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N. W.
WASHINGTON, DC 20005
202-408-4000

8/00 11:17 FAX 202 220 1665.

PEPPER HAMILTON

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NOV 29 2000

Pepper Hamilton LLP
Attorneys at Law

Hamilton Square
 600 Fourteenth Street, N.W.
 Washington, DC 20005-2004
 202.220.1200
 Fax 202.220.1665

TECH-O CENTER 600/2900

Gilberto M. Villacorta, Ph.D.
 202.220.1236
 villacortay@pepperlaw.com

June 28, 2000

VIA COURIER

Honorable Commissioner of
 Patents and Trademarks
 Washington, DC 20231

#1882605.

RE: U.S. Patent Application No. 08/803,165
 Title: *UNACTIVATED OOCYTES AS CYTOPLAST RECIPIENTS FOR
 NUCLEAR TRANSFER*
 Applicants: Kenneth CAMPBELL et al.
Our Reference: 112800-300

Dear Sir:

In accordance with the provisions of 37 C.F.R. 1.28 (c), applicants respectfully request that the status of the referenced application be established as a large entity. While investigating whether the small entity status was proper, applicants discovered that small entity status may have been established in error. Specifically, certain foreign governmental agencies have rights in the invention, and it is believed that these agencies do not qualify for small entity status. Although an assignment of rights to these agencies occurred only after the filing of this application, in an abundance of caution, applicants wish to back-pay fees so that large entity fees are paid for the application from filing. Hence, the Commissioner is authorized to charge \$450 to Deposit Account No. 50-0436 as payment of the deficiency between the amount paid during prosecution of this application and the amount that would have been due for a large entity. Applicants respectfully request that any error be excused. The Commissioner is authorized to charge any additional fees which may be required for this amendment, or credit any overpayment to Deposit Account No. 50-0436.

Respectfully submitted,

Gilberto M. Villacorta, Ph.D.
 Registration No. 34,038

GMV/ASB:and

Philadelphia, Pennsylvania

Detroit, Michigan

New York, New York

Pittsburgh, Pennsylvania

Washington, D.C./D.C.

Harrisburg, Pennsylvania

Berwyn, Pennsylvania

Cliffside Park, New Jersey